

CHAPTER NO. 113

HOUSE BILL NO. 442

By Representatives Kisber, Sands, McMillan, Hargett, Pleasant, Ralph Cole, Caldwell, Ferguson, Kent

Substituted for: Senate Bill No. 418

By Senators Crutchfield, Atchley, Blackburn, Burchett, Burks, Carter, Clabough, Cohen, Cooper, Crowe, Davis, Dixon, Elsea, Ford, Fowler, Graves, Harper, Haun, Haynes, Henry, Herron, Kurita, Kyle, Leatherwood, McNally, Miller, Person, Ramsey, Springer, Williams, Womack Mr. Speaker Wilder

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 1, relative to the Tennessee Electronic Library.

WHEREAS, public access to a wide variety of information is vital to the effective functioning of society; and

WHEREAS, libraries serve as centers for community activity and are primary sources for information and educational opportunities; and

WHEREAS, the General Assembly finds that much vital information, including government information, is rapidly becoming available in electronic forms and, in many cases, electronic form only; and

WHEREAS, in order to compete and achieve success in the future Tennesseans must have universal access to this information through their local public libraries, K-12, academic and private libraries; and

WHEREAS, the Tennessee State Library and Archives has a responsibility to help develop local library services and to encourage and facilitate access to information including electronic information; and

WHEREAS, in order to achieve and maintain equity of information access statewide, the General Assembly intends the users of the state's libraries to have access to electronic information provided through the Internet making use of economies of scale and economic savings afforded by centralized, coordinated projects; and

WHEREAS, the Tennessee Advisory Council on Libraries, an advisory committee to the Tennessee State Library and Archives representing all types of libraries in the state, has created a subcommittee which has determined that the most effective use of library resources and technology in the state can occur only through interlibrary cooperation and through the sharing of their various resources; and

WHEREAS, in order to provide local public libraries, K-12, academic and private libraries with equitable access to information available through advanced technology at a reasonable cost, the coordination of access to electronic information products should be managed and promoted through the establishment of a resource-sharing project known as the Tennessee Electronic Library; and

WHEREAS, the work of the subcommittee has been endorsed by the Tennessee Advisory Council on Libraries, the Tennessee Association of Independent Schools, the Tennessee Library Association Board of Directors, the TENN-SHARE Board of Directors, the Nashville Area Library Alliance, Friends of Tennessee Libraries, State Board of

Regents Library Deans and Directors and the Memphis Area Library Alliance; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 10, Chapter 1, is amended by adding the following as a new part thereto:

Section _____. (a) There is hereby created the Tennessee Electronic Library which shall be administered by the office of the Secretary of State, division of Tennessee State Library and Archives, which shall have the authority to coordinate the delivery of electronic databases and other similar services to all libraries, both public and private, within the State of Tennessee which desire to participate in the Tennessee Electronic Library. The office of the Secretary of State, through the division of the State Library and Archives, shall have the authority to contract with vendors, for the purpose of purchasing services under state rules and regulations, to administer and facilitate the operation of the Tennessee Electronic Library. Notwithstanding the appropriation of funds, the costs of funding the project during the initial year of operation may be paid out of funds existing within the department of state.

(b) The Tennessee Electronic Library, in close cooperation with Tennessee's libraries and other organizations interested in and supportive of expanding and promoting superior library services, shall be composed of four (4) integrated components:

(1) Subscriptions to commercial online products both through a free Core Database Access Package composed of products of general interest to all Tennesseans available to all libraries and other subscriptions of specific interest paid for by libraries participating in the Tennessee Electronic Library;

(2) Organization and technical support for start-up and ongoing services;

(3) Computing storage capacity; and

(4) Training for Tennessee librarians and library users.

(c) The Tennessee Electronic Library may provide access to, but shall not be limited to:

(1) Available online catalogs of the holdings of participating libraries in Tennessee;

(2) Local produced databases of specialized collections in Tennessee; and

(3) Other holdings, collections, and subscriptions deemed appropriate by the participating libraries and agencies.


(d) Participants in the Tennessee Electronic Library shall be limited to Tennessee public and not-for-profit, academic and school libraries within Tennessee, and any agency of state government whose mission is to provide support services to public or educational libraries.


(e) The design and implementation of the Tennessee Electronic Library shall include the following considerations:

- (1) Close cooperation among all participating libraries and agencies;
- (2) Use of related federal, state, local, and private sector expertise and funding as appropriate;
- (3) A focus on participating library circumstances, opportunities, and solutions;
- (4) Minimizing duplication of effort and maximizing cost-savings through centralized and coordinated support and purchasing;
- (5) Emphasis on both statewide benefit as well as local benefit; and
- (6) Specific goals for the effective and efficient use of technology in public libraries and school libraries to improve the services they provide to the public and to students.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 26, 1999


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 4th day of May 1999


DON SUNDQUIST, GOVERNOR